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Signature Page

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

WYATT B., *et al.*,

Plaintiffs,

v.

TINA KOTEK, *et al.*,

Defendants.

Case No. 6:19-cv-00556

PLAINTIFFS' OBJECTIONS TO
DEFENDANTS' DEPOSITION
DESIGNATIONS AND COUNTER-
DESIGNATIONS

Page 1 - PLAINTIFFS' OBJECTIONS TO DEFENDANTS' DEPOSITION DESIGNATIONS &
COUNTER-DESIGNATIONS

4859-4728-7993v.1 0201450-000001

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Pursuant to the Court's April 19, 2024 Minute Order (ECF 382) adopting the Stipulated Amended Case Schedule (ECF 377), Plaintiffs hereby object to the following deposition testimony.

GENERAL OBJECTIONS

Plaintiffs generally object to the designation of deposition testimony from Judge Nan Waller and Rebecca Jones Gaston on the grounds that the testimony lacks foundation and is not based on personal knowledge, and relays hearsay. Plaintiffs incorporate these general objections into each specific objection set forth below.

Plaintiffs also reserve all rights to counter-designate deposition testimony in light of any evidentiary rulings by the Court on these or other objections, or to designate deposition testimony for purposes of rebuttal.

DEPOSITION OF JUDGE NAN WALLER (1/6/2021)	
Page/Line	Objections
12:16–19:4	
19:6–20:12	
21:4–23:17	
23:19–20	
23:22–25:9	
30:5–32:3	
34:17–36:14	
37:8–38:9	
45:11–46:13	
47:9–50:10	Object to 48:20–49:13 (testimony on supposed reduction and elimination of out-of-state placements, on the grounds of lack of personal knowledge and foundation; Judge Waller did not remember the number of such placements or review any data on them).

Page 2 – PLAINTIFFS' OBJECTIONS TO DEFENDANTS' DEPOSITION DESIGNATIONS & COUNTER-DESIGNATIONS

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	Object to 50:6–10 (testimony on supposed end of out-of-state placements, on the grounds of lack of personal knowledge, foundation, and hearsay; Judge Waller did not review any data and based her answer on “the last time I heard anything”).
54:22–56:21	Object to 55:25–56:9 (testimony that DHS efforts resulted in additional placements, on the grounds of lack of personal knowledge and foundation; Judge Waller testified that she did not know whether full continuum of care recommendation had been implemented).
68:7–70:12	Object to 69:17–70:12 (testimony that hotline wait times had been reduced, on the grounds of lack of personal knowledge and foundation; Judge Waller did not know what current wait times were).
84:7–87:17	
91:19–92:8	Object (testimony on hiring surge, on the grounds of lack of personal knowledge and foundation; Judge Waller did not recall number of hires or number of departures).
99:22–100:11	Testimony is incomplete under FRE 106. Plaintiffs counter-designate 76:7–77:11.
104:19–105:15	
107:14–108:6	
114:18–120:22	Testimony is incomplete under FRE 106. Plaintiffs counter-designate 120:23–122:4.

DEPOSITION OF REBECCA JONES GASTON (3/15/2022)

Page/Line	Objections
46:20–47:20	
47:22	
47:24–48:10	
48:12–49:16	
49:18–19	
49:22–50:8	
55:24–25	
56:4–57:23	

Page 3 - PLAINTIFFS' OBJECTIONS TO DEFENDANTS' DEPOSITION DESIGNATIONS & COUNTER-DESIGNATIONS

4859-4728-7993v.1 0201450-000001

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91:22–94:14	Testimony is incomplete under FRE 106. Plaintiffs counter-designate 87:6–91:21.
109:10–22	Testimony is incomplete under FRE 106. Plaintiffs counter-designate 109:23–111:6 and 112:4–22.
125:3–126:19	
126:21–127:5	
161:3–17	Testimony is incomplete under FRE 106. Plaintiffs counter-designate 161:18–163:11.
166:10–170:16	
171:3–173:6	Testimony is incomplete under FRE 106. Plaintiffs counter-designate 173:7–174:24.
191:11–193:13	
193:18–195:14	
197:23–198:14	
204:4–205:5	Testimony is incomplete under FRE 106. Plaintiffs counter-designate 205:6–22.
206:4–209:5	
209:8–210:6	
213:13–217:7	
234:21–236:4	
239:20–241:12	
241:16–245:9	
247:20–250:8	
253:5–256:23	
257:2–258:18	
262:4–263:24	
269:7-15	
275:10–278:4	

DEPOSITION OF REBECCA JONES GASTON (6/28/2022)	
Page/Line	Objections
5:7–7:16	
7:18–22:7	
22:9–25:7	
25:9–41:5	
41:7–43:11	Object to 43:8–44:17 (Testimony regarding future performance of child welfare system, on the grounds of lack of personal knowledge, foundation, and speculation).
43:13–44:24	Object to 44:18–47:16 (Testimony regarding appropriateness of a consent decree or monitor in Oregon, on the following grounds: improper lay opinion testimony, unnoticed expert testimony, lack of personal knowledge and foundation, speculation, not probative of claims and defenses in case, confusing/waste of time, cumulative of testimony of actually noticed experts subject to pending <i>Daubert</i> motions).
45:1–46:18	
46:20–47:20	
47:23–49:6	
64:14–73:6	Testimony is incomplete under FRE 106. Plaintiffs counter-designate 62:6–64:13 and 73:7–22.

DATED this 26th day of April, 2024.

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